

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Moira Duffy,

Plaintiffs,

v.

Progress Software Corporation, et al.,

Defendants.

Case No. 24-cv-00185-SI (SI)

**INITIAL CASE MANAGEMENT
GUIDELINE AND CLERK'S NOTICE
ON REASSIGNMENT**

IT IS HEREBY ORDERED that, pursuant to Rule 16(b), Federal Rules of Civil Procedure, and Civil L.R. 16-10, a Case Management Conference will be held in this case before the Honorable Susan Illston on Friday, April 12, 2024 at 2:30 p.m. by "Public Hearing" Zoom webinar: <https://www.cand.uscourts.gov/judges/illston-susan-si/>. Counsel wishing to appear on the record will register for Zoom appearances by Wednesday, April 3, 2024 at 2 pm by emailing sicrd@cand.uscourts.gov with the case name, case number, name of attorney, party they represent and date of hearing.

Plaintiff(s) shall serve copies of this Order at once on all parties to this action, and on any parties subsequently joined, in accordance with the provisions of Fed.R.Civ.P. 4 and 5. Following service, plaintiff(s) shall file certificate of service with the Clerk of this Court.

Counsel are directed to confer in advance of the Case Management Conference. Not less than seven days before the conference, counsel shall file a joint case management statement in compliance with the Civil Local Rules and the Standing Order for All Judges of the Northern District of California. Failure to file a joint statement shall be accompanied by a signed declaration setting forth the grounds for such failure. Failure to show good cause for such failure may subject the parties to sanctions. *Courtesy copies of Case Management Statements are due within two (2) days of filing of the document.*

Each party shall be represented at the Case Management Conference by counsel prepared

1 to address all of the matters referred to in this Order, and with authority to enter stipulations and
2 make admissions pursuant to this Order. The parties are encouraged to attend.

3 Any request to reschedule the above dates should be made in writing, and by stipulation, if
4 possible, not less than ten days before the conference date. Good cause must be shown.

5 At the case management conference the parties should be prepared to address and resolve
6 the following: setting the date and the estimated length of the trial; setting the date for discovery
7 cutoff; setting the date to designate experts and other witnesses; and setting the date for the pretrial
8 conference.

9 Outstanding Motions: Pursuant to Civil Local Rules any dates for hearing noticed motions
10 are automatically vacated and must be renoticed by the moving party before the newly assigned
11 Judge. The briefing schedule remains unchanged. Courtesy Copies of all Motion filings shall be
12 submitted within two (2) days of filing.

13 Standing Orders: All parties shall comply with the Standing Order for All Judges of the
14 Northern District of California concerning the contents of the joint case management conference
15 statement and Judge Illston's Standing Order. Standing Orders can be found at:

16 <https://cand.uscourts.gov/judges/illston-susan-si/>.

17 Failure to comply with this Order or the Local Rules of this Court may result in sanctions.
18 See Fed.R.Civ.P. 16(f), Civil L.R. 1-4.

19 Paper Courtesy Copies: All parties in civil cases are directed to provide paper
20 courtesy copies of case management statements, the briefing on motions, and pretrial
21 conference filings in the manner and at the time specified in Judge Illston's Standing
22 Order. See Judge Illston's Standing Order for further instructions.

23 **NOTICE TO PRO SE LITIGANTS IN NON-PRISONER ACTIONS:**

24 If you are proceeding in this lawsuit without an attorney, and have not been granted leave
25 to proceed in *forma pauperis*, then the following directives apply to you in the prosecution of your
26 case.

27 The court hereby ORDERS you to comply with the service requirements of Rule 4 of the

1 Federal Rules of Civil Procedure as set forth below. Failure to follow the procedures set forth in
2 this order may result, under Rule 4 (m), in dismissal of your case.

3 It is your responsibility to obtain a valid summons from the clerk and to effect service of
4 the summons and complaint on all defendants in accordance with Rule 4 of the Federal Rules of
5 Civil Procedure. If you have named the United States government, a federal agency, a federal
6 official or a federal employee as a defendant, you must comply with the special requirements of
7 Rule 4 (i).

8 Service may be effected by any person who is not a party and who is at least 18 years of
9 age, which means that you, as a party, may not effect service. If service of the summons and
10 complaint is not made upon a defendant within 90 days after the filing of the complaint, your
11 action will, under Rule 4 (m), be dismissed as to that defendant.

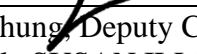
12 Within 95 days after the filing of the complaint, you must file proof of service indicating
13 which defendants were served within the 90 days allowed under Rule 4 (m) and showing, in
14 accordance with Rule 4 (i), how each of those defendants was served (for example, by attaching
15 appropriate certificates of service). You must also show cause why a defendant not served within
16 the 90 days allowed under Rule 4 (m) should not be dismissed without prejudice.

17 Failure to do these things within the designated time will result in the dismissal of your
18 case under Rule 4 (m) and Rule 41 (b).

19 For additional information on procedures for litigating in Federal Court, pro se litigants are
20 encouraged to contact the Court's Legal Help Center (415) 782-8982 or sign up for an
21 appointment with the Center at 450 Golden Gate Avenue, 15th Floor, Room 2796, San Francisco,
22 CA 94102.

23 Dated: 2/26/2024

Mark B. Busby
Clerk, United States District Court

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25 _____
26 Esther Chung, Deputy Clerk to the
27 Honorable SUSAN ILLSTON
28 (415) 522-2028